

**QUIVIRA MINING COMPANY**

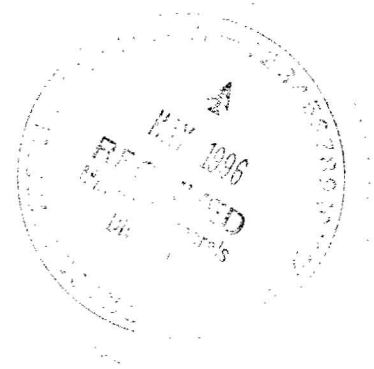
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April 29, 1996

Certified Mail  
Return Receipt Requested (P 466 851 859)

Mr. Holland Shepherd, Chief  
Mining Act Reclamation Bureau  
Mining and Minerals Division  
Energy Minerals and Natural Resources Department  
2040 South Pacheco  
Santa Fe, NM 87505

Re: **Quivira Mining Company**  
**Permit MK 002RE**  
**Annual Report 1995**



Dear Mr. Shepherd,

Pursuant to the New Mexico Mining Act Regulations Subpart 509, please find attached the Annual Report for Quivira Mining Company's Section 35 mining operation. This annual report summarizes the activities for calendar year 1995.

The submittal of this closeout plan by Quivira Mining Company does not alter Quivira's contention as presented during the May 12, 1994 New Mexico Mining Commission hearings, that uranium mines may not be subject to the New Mexico Mining Act pursuant to the definition of "Mineral" and/or "Mining" because uranium is a commodity, byproduct material or waste that is regulated by the Nuclear Regulatory Commission (NRC) and/or involves the extraction, processing or disposal of same or of activities regulated by NRC; and also because of the extensive federal and state duplicative regulations over the above listed activities. With this submittal, Quivira does not waive or prejudice its position that its operations may be excluded from the applicability of the Act.

If you have any questions, please call me at (505) 287-8851.

Regards,

A handwritten signature in black ink, appearing to read 'Peter Luthiger'.

Peter Luthiger  
Supervisor, Radiation Safety  
and Environmental Affairs

Attachment: As Stated

xc: B. Ferdinand (QMC-OKC)  
file